

**BCC Meeting: July 10, 2018  
Research Notes**

**Item No. 803  
File No. 181586**

**Researcher: MF Reviewer: TD**

RESOLUTION RATIFYING ACTION BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY THE REJECTION OF ALL PROPOSALS FOR DESIGN-BUILD CONTRACT FOR DESIGN-BUILD SERVICES FOR THE INSTALLATION OF A 36-INCH DIAMETER SANITARY SEWER FORCE MAIN ON N.W. 107 AVENUE FROM N.W. 7 STREET TO N.W. 25 STREET – PROJECT NO. DB14-WASD-09

**ISSUE/REQUESTED ACTION**

Whether the Board should ratify the action by the County Mayor related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance pursuant to Section 2-8.2.12 of the Code, to reject all proposals for the Design-Build contract for Design-Build services for the installation of a 36-inch diameter sanitary sewer force main on NW 107<sup>th</sup> Avenue from NW 7<sup>th</sup> Street to NW 25<sup>th</sup> Street – Project No. DB14-WASD-09.

**APPLICABLE LEGISLATION/POLICY**

**Florida Statutes, Chapter 287.055** governs the acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0287/Sections/0287.055.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html)

**Miami-Dade County Code, Section 2-8.2.12** governs the Miami-Dade County Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-8.2.12MIDEWASEDECODECAIMPRACOR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR)

**Administrative Order 3-39** establishes the standard procedures for user departments to implement, classify, track, monitor and report capital construction projects unless specifically exempted by State or federal law.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

**Ordinance No. 14-77**, adopted by the Board on September 3, 2014, created Section 2-8.2.12 of the Code of Miami-Dade County, and delegated to the County Mayor the authority to advertise, award, amend and negotiate contracts for goods and services, construction and professional services for the Miami-Dade Water and Sewer Department, to extend contract duration, to execute change orders and to settle claims without need for prior Board approval.

<http://intra/gia/matter.asp?matter=141981&file=false&yearFolder=Y2014>

**Ordinance No. 13-73**, adopted by the Board on July 2, 2013, authorizing and approving sanitary sewer special connection charge for construction of sewer improvements to buildings and properties in the Doral Basin.

<http://www.miamidade.gov/govaction/matter.asp?matter=130803&file=true&fileAnalysis=false&yearFolder=Y2013>

**PROCEDURAL HISTORY**

**Prime Sponsor:** N/A

**Department/Requester:** Water and Sewer

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The proposed resolution does not have a procedural history.

**FISCAL IMPACT**

According to the Fiscal Impact Statement, the proposed resolution would not have a fiscal impact for the County, as it involves a rejection of all bids.

**ANALYSIS**

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor to award contracts for funded projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvements Program without the need for prior Board approval but subject to ratification by the Board.

The Miami-Dade Water and Sewer Department Consent Decree Work consists of all those projects needed to comply with the Consent Decree approved on April 9, 2014 by the United States District Court for the Southern District of Florida. The Miami-Dade Water and Sewer Department Capital Improvement Program consists of only those projects approved by the Board as part of the Multi-Year Capital Plan.

On April 27, 2015, a Request for Design-Build Services was issued under full and open competition for Design-Build services for the installation of a 36-inch diameter sanitary sewer force main on NW 107<sup>th</sup> Avenue from NW 7<sup>th</sup> Street to NW 25<sup>th</sup> Street. Project No. DB14-WASD-09 is part of the Doral Basin Projects. The existing 24-inch force main was identified as a corroded cement lined pipe in need of replacement. The new 36-inch force main would replace the existing 24-inch force main correspondingly increase the system's capacity. The corroded 24-inch force main will be placed out of service upon the completion of the project.

The County received six proposals in response to this solicitation. The Competitive Selection Committee recommended that the County Mayor approve negotiations with Layne Heavy Civil, Inc., as the highest ranked and most responsive proposer. The County Mayor approved the recommendation on May 6, 2016.

Prior to the award of the Design-Build contract, on July 24, 2017, Reynolds Construction, which acquired Layne Heavy Civil, Inc., notified the County that the firm could not perform the project for the original price because the local construction industry experienced significant price increases across many sectors.

The County, unable to accept the proposed increase in cost, recommends the rejection of all proposals for this project. The project will be re-advertised upon the Board's approval of this rejection.